

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

**\* CRIMINAL DOCKET NO. 13-04**

**v.**

**\* SECTION: F**

**CARLOS ALBERTO AGUILAR**

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**\* \* \***

**FACTUAL BASIS**

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

The Defendant, **CARLOS ALBERTO AGUILAR** (hereinafter “**AGUILAR**”) has agreed to plead guilty as charged to the one-count indictment charging him with illegal reentry of a removed alien in violation of Title 8, United States Code, Section 1326(a).

An Immigration and Customs Enforcement (hereinafter “ICE”) agent (hereinafter the “agent”) would testify that on or about December 18, 2012, he encountered the defendant, **AGUILAR**, at the Jefferson Parish Correctional Center, within the Eastern District of Louisiana. Upon determining the defendant was illegally in the United States and upon his release from the custody of the State of Louisiana, the defendant was detained and arrested by the agent for an

immigration violation.

The ICE agent would testify that he administratively processed the defendant and conducted record checks through various U.S. Department of Homeland Security databases, which revealed that the defendant was a citizen of Honduras and illegally present in the United States.

Documentation from the records of ICE, contained in the defendant's Alien file, including a Warrant of Removal/Deportation, complete with the defendant's fingerprints, photographs and signature, would demonstrate that the defendant, **AGUILAR**, was removed from the United States to Honduras on or about December 20, 2007, at or near Alexandria, Louisiana. A qualified ICE Fingerprint Specialist would testify that the fingerprints of the individual documented in the Alien file containing the Warrant of Removal/Deportation and the fingerprints of the defendant are a match. Documentation from the Alien file would further show that the defendant is an alien, and not a citizen or national of the United States.

Testimony of an official from U.S. Citizenship and Immigration Services regarding record checks conducted through the Computer Linked Application Information Management System would show that the defendant, **AGUILAR**, did not receive consent from the U.S. Attorney General or his designated successor, the Secretary of the Department of Homeland Security, to apply for

readmission or receive permission to reenter the United States since the time of the defendant's previous removal.

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ROBERT WEIR  
Special Assistant United States Attorney

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Date

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CARLOS ALBERTO AGUILAR  
Defendant

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Date

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SAMUEL SCILLITANI  
Attorney for Defendant

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Date